

REMARKS

Applicants submit this Reply in response to the final Office Action dated December 12, 2007. Claims 1-12 and 27-35 are currently pending, of which claims 1, 11, and 12 are independent. In the final Office Action, the Examiner rejected claims 1-3, 5, 9-12, and 27-35 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,834,182 ("Fu"). The Examiner rejected claims 4 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Fu in view of U.S. Patent No. 5,756,967 ("Quinn"). Finally, the Examiner rejected claims 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Fu in view of U.S. Patent No. 6,961,368 ("Dent"). Applicants respectfully traverse these pending claim rejections for at least the reasons discussed below.

Independent claim 1 recites, among other things, "a measurement arrangement for measuring at least one RF power signal input to the antenna in at least one frequency band" and "a communication module for transmitting said at least one RF power signal measurement to a remote processing facility." In their response of September 25, 2007, Applicants noted that "Fu discloses that all of its ACPR [adjacent channel power ratio] power-detection circuitry, data processing circuitry, and wireless-transmission circuitry are entirely contained within a single mobile station 10." Applicants' September, 25, 2007, Reply to Office Action at 8 (emphasis in original). Applicants further pointed out that "none of the ACPR power detection and processing functionality in the mobile station 10 is off-loaded (or communicated) to a remote processing facility." Id. at 9. Therefore, Applicants reasoned that the mobile station 10 in Fu does not contain "a communication module for transmitting said at least one RF power signal measurement to a remote processing facility," as claimed.

In response, the Examiner argued that “the combination of 18, 20 and 22 [in Fu] are interpreted as the communication module for transmitting the at least one RF power signal measurement to the remote network operator 2, for further processing of the transmitted data or messages (col. 4, lines 20-31).” Final Office Action dated December 12, 2007, at 8. Notably, each of the digital signal processor 18, transmitter 20, and receiver 22 in Fu is located within a mobile station 10. See Fu at col. 4, ll. 55-58.

Applicants respectfully disagree that any of the components 18, 20, and/or 22 in the mobile station 10 transmits an **RF power signal measurement** to the remote network operator 2. For this reason, Fu cannot reasonably teach or suggest at least “a measurement arrangement for measuring at least one RF power signal input to the antenna” and “a communication module transmitting said at least one RF power signal measurement to a remote processing facility,” as recited in independent claim 1.

As shown below, Fu discloses “voice and possibly packet data traffic” transmitted between a mobile station 10 and the network operator 2. See, e.g., Fu, col. 3, line 66 to col. 4, line 11. The packet data may contain Short Message Service (SMS) messages or multimedia content, such as Multimedia Messaging Service (MMS) messages. See, e.g., Fu, col. 4, ll. 20-30. Fu does not teach or suggest that the mobile station 10 further transmits an **RF power signal measurement** from the mobile station 10 to the network operator 2. For example, the following two passages in Fu appear to be the only disclosure of the type of information transmitted between a mobile station 10 and the remote network operator 2:

FIG. 1 also shows an exemplary network operator 2 having, for example, a mobile switching center (MSC) 3 for connecting to a telecommunications network, such as the Public Switched

Telephone Network or PSTN, at least one base station controller (BSC) 4, and a plurality of base transceiver stations (BTS) 5 (or simply base stations) that transmit in a forward or downlink direction both physical and logical channels to the mobile stations 10 in accordance with a predetermined air interface standard. It is assumed that a reverse or uplink communication path exists from the mobile station 10 to the network operator, which conveys mobile originated access requests and traffic, including voice and possibly packet data traffic.

Fu, col. 3, line 66 to col. 4, line 11 (emphasis added).

The network operator 2 can include [a] Message Service Center (MSCT) 6 that receives and forwards messages for the mobile stations 10, such as Short Message Service (SMS) messages, or any wireless messaging technique including e-mail and Supplementary Data Services. Furthermore, enhancements to SMS can be used, such as one under development and known as Multimedia Messaging Service (MMS), wherein image messages, video messages, audio messages, text messages, executables and the like, and combinations thereof, can be transferred between a network and a mobile station.

Fu, col. 4, ll. 20-30 (emphasis added).

In summary, Fu only discloses types of voice and packet data traffic, such as SMS and MMS messages, that may be transmitted from a mobile station 10 to the remote network operator 2. Fu does not teach or suggest at least “a measurement arrangement for measuring at least one RF power signal input to the antenna” and “a communication module transmitting said at least one **RF power signal measurement** to a remote processing facility,” as recited in independent claim 1. For at least this reason, Applicants submit that independent claim 1 is allowable over Fu and the Section 102 rejections should be removed.

Applicants further submit that independent claims 11 and 12, although different in scope, recite language similar to independent claim 1 and are thus also allowable for at least the same reasons. Dependent claims 2-10 and 27-35 depend on allowable

independent claims 1, 11, and 12 and are therefore also allowable for at least the same reasons, notwithstanding their pending rejections over other combinations of art.

The preceding remarks are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding remarks in favor of patentability are advanced without prejudice to other bases of patentability.

Applicants respectfully request that this Reply After Final under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-12 and 27-35 in condition for allowance. Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of this Reply would allow Applicants to respond to the final rejections and place the application in condition for allowance. Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner continue to dispute the patentability of the pending claims.


In view of the foregoing remarks, Applicants submit that this claimed invention is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Reply, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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